

New Hampshire
State Board of Education
Minutes of the August 19, 2013 Meeting

AGENDA ITEM I. CALL TO ORDER

The regular meeting of the State Board of Education was convened at 9:05 a.m. at the Department of Education, 101 Pleasant Street, Concord, NH. Tom Raffio presided as Chairman.

Members present: Tom Raffio, Cindy C. Chagnon, Gary W. Groleau, Helen G. Honorow, Gregory Odell, Emma Rous, and James C. Schubert. Also in attendance were Virginia M. Barry, Commissioner of Education, and Paul K. Leather, Deputy Commissioner of Education.

AGENDA ITEM II. PLEDGE OF ALLEGIANCE

Gregory Odell led the pledge of allegiance.

AGENDA ITEM III. PUBLIC COMMENT

Bonnie Dunham suggested holding one hearing in the day time and one in the evening on the Initial Proposal that is on this agenda for approval.

Doris Hohensee said she is concerned about the transparency of the minutes and the audio tapes. On the website the last audio tape she noticed was posted for May of 2012 so trying to track what is going on with this board when you can't make every meeting is rather difficult for the lay person and the minutes themselves are not too detailed whereas if somebody is a guest you go in and explain why they came with great detail but in public comment it's truncated. The last minutes that you approved you had me testifying on something that I didn't even speak on so I called and had that changed. I think there ought to be a little more accuracy on what we say. If the minutes can't be that accurate we need the tapes.

AGENDA ITEM IV. OPEN BOARD DISCUSSION

A. Update on Charter Schools – Chairman Raffio said that Granite State Arts Academy Charter School review and Gate City Charter increase in number of pre-lottery slots approval is on this month's agenda. Charter Schools will be an item on the State Board Retreat agenda.

B. Update on NH Department of Education ESEA Flexibility Waiver – Commissioner Barry reported that the flexibility waiver is moving forward. Heather Gage reported that we strongly believe the ESEA Flexibility Waiver we received is a real opportunity for us to help schools grow in a positive way. The state continues to provide information to districts requesting presentations about the state's new standards in mathematics and English language arts/literacy and we continue to work with partners to provide technical assistance. We are in constant contact with the Smarter Balanced Assessment Consortium to ensure we are engaged on the front lines of the development of this new assessment. We continue to work with our partners to develop performance based assessments to ensure a more balanced approach to evaluate student mastery of their learning. We are also moving ahead with our NH Network Strategy and have an all-day network lead meeting tomorrow to discuss this year's opportunities for schools. We continue to work with our Statewide Consortium for Effective Educators and other partners to fully pilot the state model for teacher and principal evaluations and support systems. The Flexibility Waiver proves the Department the ability to select certain Title I schools as Priority or Focus Schools. The selected list is on our website with 23 schools selected as Priority and 24 selected as Focus. Ms. Gage explained the process for selecting these schools. The list of Title I Reward Schools is being prepared and will be announced at a press conference on September 17th at the Legislative Office Building.

C. Update on Manchester School District – Commissioner Barry reported that Manchester has hired David Ryan as Assistant Superintendent of Schools. She and the Deputy will be having regular meetings with the Manchester School District and our School Turnaround Team putting the leadership team together. They have also hired an Athletic Director. The Superintendent and staff are working on a mission/vision statement and will be submitting it to their board this evening. The Superintendent is meeting with high school principals concerning scheduling and class size and will have a report to present to their board on class size. Teachers have been added to Central High School particularly in core areas. The Teachers Union contract has not passed and they hope to ratify it for the beginning of the school year. All SIG schools have a differentiated model for teacher leader support. Superintendent Livingston is working closely with the board to stay child/student focused. The technology program has advanced. The board has given permission to do the redistricting plan with a strong focus on recapturing drop outs.

D. Update on Unity – Judy Fillion, Jeff Blaney, Middleton McGoodwin, Chip Baldwin, Shawn Randall, and two Unity Residents were present. Mr. Blaney reported that the Department's school approval staff had visited both Disnard Elementary and Claremont Middle Schools relative to the Unity student relocation plan. Staff found that the relocation plan seemed to be a good, well thought out plan that made the best possible accommodations for the Unity Elementary School students. The SAU staff answered questions from the Board and provided some clarity on the relocation plan as well as the bussing details. An open house for parents was scheduled for the coming week. Relative to the performance bond, the only outstanding question is whether or not Third Dimension Inc. should be required to obtain a bond for their portion of the construction project. The Department has requested clarification from the Attorney General's Office. The construction project has been shut down for five weeks. The architect has still not completed the final design and submitted it to the State Fire Marshal's Office for review. It is not known how much longer it will take for the design to be completed. According to the architect, once construction resumes, it will be approximately three months until the building is substantially complete and ready for the commissioning process.

AGENDA ITEM V. SPECIAL PRESENTATIONS

A. Granite State Arts Academy Charter School – On the advice of the Attorney General's Office, Cindy Chagnon declared that her daughter lives next door to Wendie Leweck, Chair of the Granite State Arts Academy Charter School. This relationship does not affect her impartiality or her ability to review the application. Wendie Leweck, Chair, Don Erdbrink, Vice Chair, and John Dinger, were present. In September 2014, Granite State Arts Academy Charter School plans to open in Derry with 160 students in grades 9-12. The new charter high school will nurture creative thinkers, active citizens and independent learners with a curriculum that integrates the Arts and academics, and furthers the academic pursuits of all pupils. Mr. Dinger presented a power point presentation on their vision that the high school is dedicated to the arts. Students will explore real world problems and attend art classes each day and will study at least two studies consisting of Dance, Music, Theater, and Visual Arts. This will allow for personalized learning, creating conditions where students' talents can flourish. Commissioner Barry supports this charter school after having met with the parties to discuss the application submitted. Board members had several questions and concerns regarding this charter school.

MOTION: Cindy Chagnon made the motion, seconded by James Schubert, that the State Board of Education authorizes the Granite State Arts Academy: A Public Charter School application to move forward with projected enrollment figures of up to 160 students within the first five years.

VOTE: The motion was adopted by a 6 – 1 vote with Helen Honorow voting in the opposition, and with the Chairman voting.

B. Overview of Positive Action – Deborah Dufault presented information on a program she found on line. Positive Action is an educational program featuring a series of scripted lessons for each grade level Pre-K through twelfth grade. The program is presented in a kit, which includes all the materials required for implementation. It works by teaching and reinforcing the intuitive philosophy that you feel good about yourself when you do positive actions. This widely-recognized, proven model focuses on teaching and reinforcing the positive actions to develop the whole self – physically, intellectually, socially and emotionally for a successful, happy and healthy life. Positive Action is used in every kind of setting: schools, families, and community. Chairman Raffio thanked Deborah for her presentation.

C. Public Hearing on Ed 306 Minimum Standards – Chairman Raffio opened the Public Hearing on Ed 306 Minimum Standards at 11:00 a.m. Chairman Raffio said that the Board is to simply listen to the testimony, and take notes. There would be no comments by Board members. Testimony will be limited to five minutes. There is also a hearing on the minimum standards on September 9th at 10 a.m. in Lincoln. It is anticipated that the standards will be voted on at the November 21st meeting in Merrimack. These rules provide the minimum standards for public school approval. Ed 306 is being readopted with amendments. Most of it is scheduled to expire July 1, 2013, subject to extensions pursuant to RSA 541-A:14-a. The changes to the rules include changing requirements of credits from seat time to competencies, with respect to the ESEA flexibility waiver, college and career ready standards, and revising the school approval process. Also several new definitions have been added including credit, competencies and college and career readiness. The following people presented testimony: Deputy Commissioner Leather updated the Board on the school approval section, David Ruff updated the Board on the content area section, Senator Molly Kelly presented testimony for the Advanced Manufacturing Education Advisory Council, Doris Hohensee, Deborah Olszta, Fred Bramante, Sean Meagher, Steve Roberts, Ann Marie Banfield, Sharon Silva, Carol Sweny, Nancy Keene, Nate Jones, Terry Clitchfield, Bonnie Dunham, Rep. David Murotake, Krista Argiropdis, Kay Shoubash, Ursula Askins-Huber, and Cecile Carlton. Chairman Raffio closed the hearing at 12:45 p.m.

D. Establish Fees for the High School Equivalency Test – Art Ellison, Administrator, Bureau of Adult Education, said the Board has the authority to set the cost for the New Hampshire High School Equivalency Test and the issuance of Transcripts based upon successful completion of the approved high school equivalency test. The Board has approved the Educational Testing Service HiSET test, effective January 1, 2014, as the qualifying assessment for issuance of a certificate. The current cost for taking the GED test is \$65 for the paper based version and \$120 for the computer based version. The Bureau of Adult Education will encourage local testing centers to provide scholarships for students that may experience difficulty in meeting the increased costs of the new test. Approval of the fee structure would establish the cost of taking the High School Equivalency Test and issuance of Transcripts for the time period January 1, 2014 – December 31, 2016.

MOTION: Gary Groleau made the motion, seconded by Cindy Chagnon, that the State Board of Education establish the following fee structure for the NH High School Equivalency Test and the issuance of Transcripts, effective January 1, 2014 – December 31, 2016:

1. Full Test Battery: \$95.00 (\$15.00 for each retest within one year).
2. Students taking one subtest at a time: \$40.00 for the first test, \$30.00 for each subsequent test, including retests.
3. Transcript Cost: \$10.00

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

E. Appointments to Professional Standards Board – Judy Fillion said that at the beginning of each school year the State Board of Education appoints members to the Professional Standards Board. There are currently seven vacancies to be filled. Recommendation is made as follows:

Category I – Teachers and Education Specialists

Reappoint Nancy Corbett – second three-year term (2013-2016)

Speech Language Specialist, Pembroke NH

Reappoint Laura Hailey - second three-year term (2013-2016)

President – AFT-NH, Concord NH

Appoint Valerie Kehoe – first three-year term (2013-2016)

Literacy Specialist

Category II – Higher Education and Education Administration

Reappoint John Fabrizio – second three-year term (2013-2016)

Principal - Merrimack NH

Reappoint Charles Littlefield – second three-year term (2013-2016)

Superintendent – Hooksett NH

Reappoint Mary McNeil – three-year term (2013-2016)

Professor Emerita, Plymouth State University and adjunct Doctoral Faculty, New England College, Henniker NH

Category III – Qualified Lay Persons

Appoint Mary Ellen Hannon – first three-year term (2013-2016)

Retired Superintendent, Subject Matter Expert – Senior Associate, Educational Content Consultant, Public Consulting Group, Portsmouth NH

MOTION: Cindy Chagnon made the motion, seconded by James Schubert, that the State Board of Education approve the above appointments and reappointments to the Professional Standards Board.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

F. Professional Standards Board Report – Barbara Cohen, Chair of the Professional Standards Board, gave a Report to the State Board of Education. The PSB had a very busy and productive year carrying out the charge from the State Board of Education. The PSB voted to enforce a limit on the number of standards and this marked the beginning of a more streamlined and focused approach. Along with this change, subcommittees were given directions which included aligning standards with INTASC and other national organizations and to ensure that the necessary rigor was incorporated into the content standards. One of the charges was to review the requirements for the three levels of credentials: Beginning, Experienced and Master Teacher. The subcommittee understood its charge to review the provisions of these credentials through the lens of effective teaching and leading along with student learning. The Elementary Mathematics Specialist was one of the most notable accomplishments of the PSB in 2012-13

and was brought before the Board in July 2013. PSB members are given an update of the Council of Teacher Education's work and coordination with IHEs has occurred through membership on the various certification subcommittees.

G. Appeal to Priority School Selection – Campbell High School, Litchfield – Heather Gage, Chief of Staff for the Department, Brian Cochrane, Superintendent of Schools for SAU #27 and Laura Rothhaus, Principal, were present. Heather Gage reported that New Hampshire's request to waive certain provisions of the ESEA was approved by the U.S. Department of Education on June 26, 2013. The approved waiver allows New Hampshire to replace the Adequate Yearly Progress accountability system with validated methodology for identifying and prioritizing support for Title I schools meeting the federal definition of "Priority" or "Focus" school. SAU #27 is appealing the selection of Campbell High School as a Title I Priority School based on special circumstance stating that they did not meet the criteria for the selection. Campbell High School is claiming special circumstance because they believe the school has been misidentified as a Title I Priority School. Brian Cochrane presented information that he said would remove Campbell High School's designation as a Priority School and release the school and the district from the associated Priority School requirements of the ESEA waiver.

MOTION: Helen Honorow made the motion, seconded by Emma Rous, that the State Board of Education deny the Title I Priority School selection appeal from Campbell High School in the Litchfield School District due to insufficient evidence that the appeal meets the allowable conditions for data error or special circumstance.

VOTE: This was done by a roll call vote: Emma Rous – Yes; Gary Groleau – Yes; Gregory Odell – No; Cindy Chagnon – No; Tom Raffio – Yes; James Schubert – Yes; Helen Honorow – Yes. The motion passed with a 5 – 2 vote with Gregory Odell and Cindy Chagnon voting in the opposition and with the Chairman voting.

H. Tabled Item – Student/Con-Val School Board – SB-FY-13-04-008 – This item was not taken off the table as the parent did not request a meeting before the local school board.

I. Commissioner's Non-Public School Approval Designation Report – Judy Fillion said a vote is needed to accept and approve the recommended designations for New Hampshire Non-Public Schools with an approval status expiring June 30, 2013. Administrative Rule Ed 400 requires non-public schools to submit a request every five years to renew their program approval status and every three years to renew their attendance approval status. Approval of this report allows the schools with an expired approval status to continue to operate.

MOTION: Cindy Chagnon made the motion, seconded by Gregory Odell, that the State Board of Education accept and approve the Commissioner's Non-Public School Approval Designation Report for 2013.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

J. Proposal – Gate City Charter Increase in Number of Pre-Lottery Slots for Founding Members – A vote is needed by the Board to approve an increase in the number of pre-lottery slots for children of members of the Development Committee and Board of Trustees. The proposed amendment increases the number of children from 17 to 20. Student enrollment numbers will not change. The increase in pre-lottery slots would attract the professional skill-sets necessary for a diverse and effective Board of Trustees by offering enrollment for their children. Gregory Odell is opposed to the concept.

MOTION: Gary Groleau made the motion, seconded by James Schubert, that the State Board of Education authorizes the Gate City Charter School for the Arts to increase the number of pre-lottery slots to 20.

VOTE: The motion was adopted by a 6 – 1 vote with Gregory Odell voting in the opposition, and with the Chairman voting.

AGENDA ITEM VI. NEW DEPARTMENT BUSINESS

There was no New Department Business

AGENDA ITEM VII. LEGISLATIVE ISSUES

A. Initial Proposal for Ed 1200 Limiting the Use of Child Restraint Practices, Ed 1113.04-.06 and Ed 1114.07-.09 Behavioral Interventions, Ed 1120.04 Parental Consent, and Ed 1120.08 Public and Private Insurance – Mary Mayo said a vote is needed to enter the rulemaking process to adopt this initial proposal. Ed 1200, Limiting the Use of Child Restraint Practices

are being proposed because of a new law, RSA 126-U that was passed in 2010. We have met with constituents over the last year to develop the language. Also included in this filing is an amendment to sections of Ed 1100 to bring it in line with this law. The federal rule, 34 CFR&300.154(d) regarding Parental Consent has also recently changed. The two sections of Ed 1120 proposed language are being changed to make it consistent with this rule. If the Board adopts the initial proposal, the Department will enter the rulemaking process by filing it with the JLCAR, along with a request for a fiscal impact statement. The Board will hold a public hearing at its October meeting. This information will be published in the Rulemaking Register next month. Deputy Commissioner Leather said there are strong concerns on both sides of the issue.

MOTION: Cindy Chagnon made the motion, seconded by Gary Groleau, that the State Board of Education adopt the Initial Proposal for Ed 1200, Limiting the Use of Child Restraint Practices, Ed 1113.04-.06 and Ed 1114.07-.09, Behavioral Interventions, Ed 1120.04, Parental Consent, and Ed 1120.08, Public and Private Insurance. The Board will hold a public hearing on this filing for October 24, 2013 at 11:00 a.m.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

AGENDA ITEM VIII. NEW BOARD BUSINESS

A. Priorities of State Board – Chairman Raffio said that the Business and Education Coalition meeting is getting together in September to discuss STEM and other initiatives.

Board Retreat – The Board Retreat is scheduled for October 31st - topics for discussion right now are charter schools, minimum standards, common core, Manchester School District, Unity.

B. Education Reform

AGENDA ITEM IX. COMMISSIONER'S REPORT

Paul Leather said the adequacy report is right on target.

Commissioner Barry said that the Department is applying for grants to a number of national assessment groups.

Governor Hassan has reached out to the Commissioner regarding the College and Career Readiness Standards. There is a leadership group being planned and we would like to have a State Board member as an active member of this group. Cindy Chagnon volunteered to be involved in this group.

AGENDA ITEM X. OLD BUSINESS

There was no Old Business at this meeting.

AGENDA ITEM XI. CONSENT AGENDA

A. Minutes of July 18, 2013 Meeting

MOTION: Gregory Odell made the motion, seconded by Cindy Chagnon, to approve the Minutes of July 18, 2013.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.

AGENDA ITEM XII. TABLED ITEMS

A. Student/Con-Val School Board – SB-FY-13-04-008

AGENDA ITEM XIII. NONPUBLIC SESSION

The Board did not go into nonpublic session at this meeting.

AGENDA ITEM XIV. ADJOURNMENT

MOTION: Cindy Chagnon made the motion, seconded by Gregory Odell, to adjourn the meeting at 2:05 p.m.

VOTE: The motion was adopted by unanimous vote of the Board present, with the Chairman voting.



Secretary